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FAX TRANSMITTAL COVER SHEET

TO: Commissioner for Patents-Patent Technology Center 2600

FAX NO: 571-273-8300

FROM: Stuart J. Friedman

DATE: May 22, 2006

7 Sheets (including Cover Sheet)

Re: U.S. Patent Application No. 09/444,488; Our Ref: 745442-20

Dear Sir:

Enclosed is a petition to withdraw the holding of abandonment based on the failure of undersigned counsel, attorney of record, to receive the Notice of Allowance and Fee(s) Due.



Stuart J. Friedman
Reg. No. 24,312

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002/007

MAY 22 2006

PATENT

Docket No. 745442-20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Luc VANTALON et al) Group Art Unit: 2623
Serial No. 09/444,488) Examiner: Sheleheda, James R.
Filed: November 19, 1999)
For: DIGITAL TELEVISION)
CONDITIONAL ACCESS METHODS)
AND APPARATUS WITH MULTIPLE)
DATA TRANSPORT MECHANISM)

CERTIFICATE OF MAILING OR TRANSMISSION
[37 CFR 1.8(a)]

I hereby certify that this correspondence is being transmitted by facsimile on May 22, 2006 to the United States Patent and Trademark Office at (571) 273-8300, addressed to: Commissioner for Patents, Patent Technology Center 2600, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Signature: _____

Name: Stuart J. Friedman

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE
TO RECEIVE OFFICE ACTION**

Commissioner for Patents
Patent Technology Center 2600
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that the holding of abandonment based upon failure to timely pay the required issue and publications fees be withdrawn on the ground that the Notice of Allowance and Fee(s) Due was never received by undersigned counsel.

Undersigned counsel submitted a Power of Attorney and Change of Correspondence Address together with a Status Inquiry on January 5, 2005. Undersigned counsel was advised in a telephone conference with Supervisory Primary Examiner Kelley on May 22, 2006 that the Power of Attorney was not entered into the PTO records until May 17, 2005 and that the Notice of Allowance and Notice of Allowability were mailed on January 27, 2005. No response was

Docket No. 745442-20

Serial No. 09/444,488

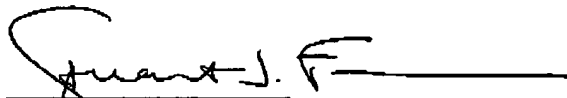
Page 2

ever received to the Status Inquiry. It is likely, based upon the foregoing, that the Notice of Allowance and Fee(s) Due was mailed by the PTO to the prior attorney of record.

The Notice of Allowance and Fee(s) Due was not received by undersigned counsel. A search of the file jacket and docket records indicates that the Notice of Allowance was not received. Attached hereto are copies of the docket records of undersigned counsel for the weeks immediately preceding and following April 27, 2005, the date that the issue and publication fees would have been due if the Notice of Allowance in fact was dated January 27, 2005. Had the Notice of Allowance been received, payment of the fees would have been docketed as Docket No. 745442-20 for April 27, 2005.

It is respectfully requested that this petition be granted and the Notice of Allowance be remailed.

Respectfully submitted,



Stuart J. Friedman
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MAY 22 2006

APRIL 2005

THURSDAY	FRIDAY	SATURDAY	
	740239-509 } Renewed 740239-504 } due 740239-511 } 4/1/06 741493-9 SMC, FRA, MON, GAR Annulment due on 04/05 740481-3 3rd MF due 6/1/05	2	March 2005 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
	8	9	April 2005 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
4	15	16	May 2005 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
21	22 740188-172-1611/foreign Appeals Due 740551-103 1st RA read 7 740612-178 1st RA/ALB fees due 740537-8 1st RA to RCT wait up order	23 Passover begins at sundown	June 2005 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
28	29 741493-13 CAD MF due 741493-10 PRC MF due 741493-56AR- MF due	30 745412-22 1st RA to GAR due	July 2005 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
			August 2005 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27

SUNDAY	MONDAY	TUESDAY	WEDNESDAY
3 Daylight Saving Time begins	4	5	6
10	11	12	13
17	18 <u>740631-372 5/15 due 4/18/06</u> <u>740612-152 reg. to oc due</u> <u>5/12/05</u>	19 <u>740239-758 Reg. to OA due</u>	20 <u>740605-94 - renewal</u> <u>6/20/05 - end of grace</u>
24 Passover	25 <u>927721-4 Issue +</u> <u>information for One</u>	26 <u>740188-176 - Issue +</u> <u>public for sale</u>	27 <u>Administrative Professionals</u> <u>927721-289 (US) 6/17/06</u> <u>Appl. due</u>

MAY 2005

THURSDAY	FRIDAY	SATURDAY
Battle of Puebla (M)	6 741493-25 LFOA rev'd?	7
	13 740189-178-15MF due 11/14/05	14
	20	21 Armed Forces Day (US)
5	27	28

April 2005

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2005

S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2005

S	M	T	W	T	F	S
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26	27	28	29	30		

July 2005

S	M	T	W	T	F	S
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

August 2005

S	M	T	W	T	F	S
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2005

S	M	T	W	T	F	S
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
					25	26
						27
						28
						29
						30

SUNDAY	MONDAY	TUESDAY	WEDNESDAY
1 Labor Day (M)	2 May Day Bank Holiday (UK)	3	4
8 Mother's Day (C, US)	9	10 Mother's Day (M)	11
15	16 <u>003237-7 8/15 due 5/16/06</u>	17 <u>740612-182 Respon. due</u>	18 <u>740631-337 Respon. due</u>
22	23 Victoria Day (C) <u>740612-179 Issue Res due</u>	24 <u>740481-38 } 2691+ -39 } Foreign -40 } Appeals due 9/24/05</u>	25
29	30 Memorial Day, Observed (US) Spring Bank Holiday (UK)	31 <u>740537-8 30.000 Ref 1/ 5722g Appeals due 7/31/05</u>	